

**NOVEMBER 4, 2014 STATE ELECTION  
TOWN OF ENFIELD  
REFERENDUM VOTE  
EXPLANATORY TEXT**

QUESTION #3

“SHALL THE ENFIELD TOWN CHARTER BE REVISED AS PROPOSED BY THE CHARTER REVISION COMMISSION AND AS APPROVED BY THE ENFIELD TOWN COUNCIL BY RESOLUTION #2826 AT ITS REGULAR MEETING OF AUGUST 4, 2014?”

A resolution adopted by the Enfield Town Council at a meeting held on September 2, 2014 shall be submitted to a referendum vote on the voting machines or paper ballots by Town electors and qualified voters for approval or disapproval in conjunction with the election to be held on Tuesday, November 4, 2014 between the hours of 6:00 a.m. and 8:00 p.m. (E.S.T.). If approved by the voters, the Charter will be revised in accordance with the revisions approved by the Charter Revision Commission and voted upon by the Town Council and shown below. The full text of the Town Council resolution is on file and available for public inspection at the Town Clerk’s Office.

The polling places used by the Town for the election shall be utilized by Town electors for purposes of the referendum vote. Absentee ballots will be available from the Town Clerk’s Office.

**PROPOSED CHARTER CHANGES**

LANGUAGE THAT HAS BEEN ADDED IS IN **BOLD**  
LANGUAGE THAT HAS BEEN DELETED IS ~~STRUCK THROUGH~~

CHAPTER II OFFICERS AND ELECTIONS

**SECTION 1. GENERAL.**

Nomination and election of federal, state and local officers, state senators and representatives, judge of probate, two (2) registrars of voters and **constables**, ~~justices of the peace~~, shall be conducted, and the registrars of voters shall prepare lists of electors qualified to vote therefor, in the manner prescribed in the Constitution and the general laws of the State of Connecticut, except as hereinafter provided.

**SECTION 2. MUNICIPAL ELECTIONS.**

A meeting of the electors of the Town of Enfield for the election of municipal officers shall be held on the first Tuesday after the first Monday in November, 1969, and biennially thereafter.

(a) At such meeting there shall be elected eleven (11) members of the **Enfield** town council for terms of two (2) years as hereinafter provided: one (1) ~~councilman~~ **councilor** for District One (1), one (1) ~~councilman~~ **councilor** for District Two (2), one (1) ~~councilman~~ **councilor** for District Three (3), one (1) ~~councilman~~ **councilor** for District Four (4), and seven (7) at-large, no more than four (4) of whom shall be of the same political party.

(b) ~~The six (6) members of the board of education in office on the date of said meeting of electors in 1969 shall continue in office for their respective terms and at such meeting in 1969~~

~~there shall be elected three (3) members of said board of education, no more than two (2) of whom shall be of the same political party, all three (3) of whom shall be elected for terms of two (2) years, to fill the vacancies occurring in 1969. In 1971 there shall be elected six (6) members of said board of education, no more than four (4) of whom shall be of the same political party, all six (6) of whom shall be elected for terms of two (2) years, to fill vacancies occurring in 1971. In 1973, and biennially thereafter,~~ **at such meeting** there shall be elected nine (9) members of ~~said~~ **the Enfield** board of education, no more than ~~six (6)~~ **five (5)** of whom shall be of the same political party, for terms of two (2) years.

(c) ~~At such meeting to be held in 1969 there shall be elected constables to the number authorized by the General Statutes.~~ All elective officers shall hold office until their successors have been chosen and qualified.

### SECTION 3. ELIGIBILITY.

No person shall be eligible for election to any town office who is not at the time of ~~his~~ **their** nomination and election qualified to vote for that office and any person ceasing to be a resident and elector of said town, or in the case of district ~~councilman~~ **councilor**, ~~his~~ **their** district, shall thereupon cease to hold such elective office in the Town of Enfield.

### SECTION 4. VACANCIES.

Any vacancy in any elective town office, including the board of education, from whatever cause arising, shall be filled by appointment by the town council within sixty (60) days of the date of the vacancy for the unexpired portion of the term or until the next biennial municipal election, whichever shall be sooner, provided that when the person vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by appointment of a member of the same political party. ~~If there shall be a biennial municipal election before the expiration of the term of office of any person appointed to an elective office under the provisions of this section, such office shall be filled by the election of a person to fill that office for the unexpired term or portion at such biennial municipal election.~~

### SECTION 5. ALTERING DISTRICT BOUNDARIES.

(a) *Council districts.* The council shall, ~~from time to time~~ **from time to time, or as required by law**, alter the boundaries of the council districts by resolution approved by a majority of the electors voting thereon at a town referendum ~~conducted as or special election~~, held for that purpose. Such change shall not take effect until the next municipal primary or election. Any change in the boundaries of council districts made within ninety (90) days prior to any election or primary shall not apply with respect to such primary or election.

## CHAPTER III – THE TOWN COUNCIL

### SECTION 1. THE COUNCIL.

There shall be a town council consisting of eleven (11) members, hereinafter referred to as the council, the members of which shall serve without compensation except for the reimbursement of actual expenses incurred in the performance of official duties for two (2) years. ~~No member of the council shall hold any office of profit under the government of the Town of Enfield, except that of justice of the peace or employee of the board of education, during the term for which elected, and for two (2) years thereafter be appointed to any office of profit under the government of the Town of Enfield, except that of justice of the peace and employee of the board of education.~~

## SECTION 2. CHAIRMAN CHAIR.

The council shall meet on the second Monday in November, 1969, and biennially thereafter for an organizational meeting. At such meeting, the council shall choose one of its members to preside **as chair** over the council, who shall bear the title of Mayor. At the same meeting, the council shall choose one of its members to act as ~~chairman~~ **chair** of the council during the absence of the Mayor, who shall bear the title of Deputy Mayor. The holding of either of such offices shall not deprive the council member of a vote on any questions. The Mayor, or the Deputy Mayor, in the mayor's absence, shall preside over all meetings of the council, perform such other duties as are consistent with the office and be recognized as the official head of the town for ceremonial purposes, military purposes, and for the purpose of serving civil process.

## SECTION 3. TOWN CLERK.

The town clerk shall act as clerk of the council and shall keep a public record of all proceedings of the council, including roll call votes. At the meeting of the council on the second Monday in November, 1969, and biennially thereafter, the town clerk shall preside until the council has elected a ~~chairman~~ **chair**.

## SECTION 4. PROCEDURE.

At the first meeting of the council following the town election, the town council shall fix the time and place of its regular meeting, which shall not be less than once each month and shall provide a method for the calling of special meetings. It shall determine its own rules of procedure. All meetings of the council for the transaction of business shall be open to the public and the votes shall be recorded as prescribed in the General Statutes, as revised. Six (6) members shall constitute a quorum, but no ordinance, resolution, or vote, except a vote to adjourn or to fix the time and place of the next meeting, shall be adopted by less than six (6) affirmative votes. All ordinances and resolutions shall be confined to one subject which shall be clearly stated in the title. The council shall keep for public inspection a record as required in section 3 of this chapter which shall be the official record of its proceedings. The record so kept shall be authenticated for each meeting by the signature of the ~~chairman~~ **chair** or the clerk of the council.

## SECTION 6. PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES.

At least one (1) public hearing, prior notice of which shall be given, not more than fifteen (15) days nor less than five (5) days, by publication **electronically or as required by law, and** in a newspaper having a circulation in said town, and by posting a notice and the full text of the ordinance in public places, including, but not limited to, Town Hall and the Central Library, shall be held by the council before any ordinance shall be passed. Every ordinance after passage shall be given a serial number and be recorded by the town clerk in a book to be kept for that purpose which shall be properly indexed. Within ten (10) days after final passage, all ordinances shall be published once in their entirety **electronically or as required by law, and** in a newspaper having a circulation within the town. Every ordinance, unless it shall specify a later date, shall become effective on the fifteenth day following its final passage, provided an ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after such publication and no public hearing or notice of public hearing shall be required for any public emergency measure.

## SECTION 7. POWER OF INITIATIVE.

~~The electors shall have the power to propose to the council any ordinance or other measure, except an ordinance or resolution appointing or removing officials, specifying the compensation~~

~~or hours of work of officials and employees, appropriating money, authorizing the levy of taxes, or fixing the tax rate. If the council fails to adopt such ordinance or other measure within thirty (30) days after a petition making such a proposal shall have been filed with the council, the electors may adopt or reject the same at any election held within ninety (90) days after such proposed ordinance or measure was originally filed with the council, provided such petition shall be signed in ink or indelible pencil by qualified electors of the town equal in number to at least ten (10) percent of the registered voters eligible to vote at the last biennial municipal electors who voted at the last presidential election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition certifying to the authenticity of the signatures on such petitions. The registrar of voters shall determine the sufficiency of the petition and the affidavits and certify the same to the town clerk as clerk of the council within five (5) days of receipt thereof. Certification to the town clerk shall be deemed to be filing with the council for the purposes of this section. Unless at least twenty (20) percent of the electors entitled to vote on the question shall have voted, such proposed ordinance or measure shall not become effective and the result shall be construed as against adoption. No ordinance or other measure which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the council except by petition and vote of the elect~~

**(a) The electors shall have the power to propose to the council any ordinance or repeal of a vote, resolution or ordinance except an ordinance or resolution appointing or removing officials, specifying the compensation or hours of work of officials and employees, appropriating money, authorizing the levy of taxes, or fixing the tax rate.**

**(b) If the council fails to adopt such ordinance or other measure within thirty (30) days after a petition, as set forth in section (c) below, making such a proposal shall have been filed with the council, the electors may adopt or reject the same at any election held within ninety (90) days after such proposed ordinance or measure was originally filed with the council.**

**(c) Such petition shall contain the full text of the vote, resolution or ordinance proposed to be passed or repealed and shall be signed in ink or indelible pencil by qualified electors of the town equal in number to at least seven (7) percent of the registered voters eligible to vote at the last biennial municipal election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition certifying to the authenticity of the signatures on such petitions.**

**(d) Prior to circulating any such petition, an elector may, but is not required to, submit such proposed ordinance, repeal of a vote, resolution or ordinance to the Town Attorney's Office to be examined by the Town Attorney before being circulated. The Town Attorney is authorized to correct the form of such proposed petition for the purpose of avoiding repetitions, illegalities and unconstitutional provisions and to assure accuracy in its text and reference and clearness and preciseness in its phraseology but not materially changing its meaning and effect. If the Town Attorney should determine that the proposed petition is in violation of this Charter, the general statutes or constitution of the State of Connecticut or of the United States, the Town Attorney shall return said petition to the elector together with a statement of the reason or reasons for such determination.**

**(e) The registrar of voters shall determine the sufficiency of the petition and the affidavits and certify the same to the town clerk as clerk of the council within ten (10) days of receipt**

thereof. Certification to the town clerk shall be deemed to be filing with the council for the purposes of this section.

**(f) Unless at least twenty (20) percent of the electors entitled to vote on the question shall have voted, such proposed ordinance or measure shall not become effective and the result shall be construed as against adoption. No ordinance or other measure which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the council except by petition and vote of the electors.**

#### SECTION 9. RELATION TO ADMINISTRATIVE SERVICE.

Neither the council nor any of its members shall direct or request the appointment of any person to any office or employment, or direct or request the removal of any person from any office or employment which office or employment, by the provisions of this Charter, the manager or any of his appointees are empowered to fill by appointment, provided the manager may seek advice from the council regarding appointments and provided further the council may prefer charges in writing against any officer or employee appointed by the manager in the manner hereinafter prescribed for the removal of officers and employees. The council and its members deal with the administrative service solely through the manager and neither the council nor any member thereof shall give orders to any of the subordinates of the manager either publicly or privately, provided a properly constituted meeting of the council, which the manager has been invited to attend, may call before it any employee or officer for the purpose of investigation. Any ~~councilman~~ **councilor** violating the provisions of this section, upon a finding thereof by a court of competent jurisdiction shall cease to be a ~~councilman~~ **councilor**.

#### SECTION 11. AUDIT REPORT.

The council shall annually designate an independent public accountant or firm of independent public accountants to audit the books and accounts of the town as provided in the General Statutes, as revised, of the State of Connecticut. **Such independent public accountant or firm of independent public accountants shall not serve for more than three (3) consecutive years.**

### CHAPTER IV –THE TOWN MANAGER

#### SECTION 1. APPOINTMENT AND REMOVAL.

(a) The council shall appoint a town manager **hereinafter referred to as the Manager** who shall be the chief executive officer of the town to serve for an indefinite period, who shall be a graduate, with a bachelor's degree from an accredited college or university, whose major field of study shall have been public administration or government and who shall have a minimum of five (5) years' experience in public administration. At the time of appointment, said manager need not be a resident of the Town of Enfield or the State of Connecticut. The manager shall devote full time to the duties of the office, and during the term of office, shall reside in said town. The compensation of the town manager shall be fixed by the council and shall not be decreased except at the beginning of a fiscal year of the town by a vote of the council taken at least one month prior to that date.

#### SECTION 4. APPOINTMENTS.

The manager shall appoint all department heads and other officers and employees of the town except as otherwise specifically provided in this Charter and except employees in the offices of elected officers and boards appointed by the council. In lieu of any appointment by the manager or any of the manager's appointees to any office under ~~his~~ **their** jurisdiction, the manager, subject

to the approval of the council, may perform the duties of any office under the manager's jurisdiction except those of town treasurer, provided in case the town treasurer is absent or unable to act, the manager may countersign checks in accordance with the provisions of this Charter. The manager ~~may~~ **shall** designate one of the manager's appointees to serve as acting manager during the manager's absence.

## CHAPTER V – APPOINTMENTS BY THE TOWN COUNCIL AND THE TOWN MANAGER

### SECTION 1. TOWN ATTORNEY.

The council shall, by majority vote at a meeting to be held ~~not later than one month after the council shall have organized,~~ **by the second Monday in December following the council elections,** appoint a town attorney to serve for a term of two (2) years from the date of ~~his~~ **their** appointment, January first. The town attorney shall be an attorney admitted to practice law in ~~this~~ **the state of Connecticut for a minimum of five (5) years.** The town attorney shall be head of the town legal department and shall appear for and protect the rights of the town in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards or commissions. The town attorney shall be the legal advisor of the council, the town manager and other town officers, boards and commissions in all matters affecting the town and shall upon written request furnish them with a written opinion on any questions involving their respective powers and duties. The town attorney shall prepare or approve the legality of contracts and other instruments to which the town is a part or in which it has an interest except the issuance of bonds for which special counsel is retained. The town attorney shall have power, with the approval of the town manager, to appeal orders, decisions, and judgments and, subject to the approval of the council, to compromise or settle any claims by or against the town. The town attorney shall receive a compensation set by the council.

### SECTION 2. PLANNING AND ZONING COMMISSION.

The council shall, by a majority vote at a meeting to be held ~~biennially~~ by the second Monday in December following the council elections, appoint a planning and zoning commission to take office the following January first, consisting of seven (7) electors who shall be regular members of the commission, and three (3) electors who shall be alternate members of the commission, all of whom shall be residents-taxpayers of said town in accordance with the following provisions: No more than four (4) of the regular members shall be of the same political party and no more than two (2) of the alternate members shall be of the same political party; and at said meeting the council shall appoint three (3) regular members for a term of two (2) years, four (4) regular members for a term of four (4) years, one (1) alternate member for a term of two (2) years, and two (2) alternate members for a term of four (4) years, and ~~biennially~~ thereafter the council shall fill the vacancies occurring on said commission. Said commission shall have all the powers and duties not inconsistent with this Charter, which are prescribed in the General Statutes.

### SECTION 3. ZONING BOARD OF APPEALS.

The council shall, by a majority vote at a meeting to be held ~~biennially~~ by the second Monday in December following the council elections, appoint a zoning board of appeals to take office on the following January first, consisting of five (5) electors, who shall be regular members of said board, and three (3) electors, who shall be alternate members of said board, all of whom shall be residents-taxpayers of said town, in accordance with the following provisions: No more than three (3) of the regular members shall be of the same political party and no more than two (2) of

the alternate members shall be of the same political party; and at said meeting the council shall appoint two (2) regular members for a term of two (2) years, and three (3) regular members for a term of four (4) years, one (1) alternate member for a term of two (2) years and two (2) alternate members for a term of four (4) years, and ~~biennially~~ thereafter the council shall fill the vacancies occurring on said board. No member of the planning and zoning commission shall be eligible for appointment to the zoning board of appeals as a regular or an alternate member. Said board shall have the powers and duties, not inconsistent with this Charter, which are prescribed in the General Statutes, as revised.

#### SECTION 4. BOARD OF ASSESSMENT APPEALS.

The council shall, by a majority vote at a meeting to be held ~~biennially~~ by the second Monday in December following council elections, appoint a board of assessment appeals to take office on the following January first, consisting of three (3) ~~members~~ **electors** for terms of three (3) years, except that of those first appointed; one (1) shall be for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years. Annually thereafter, the council shall appoint one member to succeed the member whose term expires. Said board shall have all the powers and duties conferred or imposed by the General Statutes on boards of assessment appeals.

#### SECTION 5. LIBRARY, BOARD OF LIBRARY TRUSTEES.

The council shall, by a majority vote at a meeting to be held ~~biennially~~ by the second Monday in December following elections appoint a library board of trustees to take office on the following January first, consisting of ~~three (3)~~ **five (5) electors** ~~members~~ for terms of three (3) years, except that of those first appointed; ~~one (1)-~~ **two (2)** shall be for a term of one (1) year, ~~(1) two (2)~~ for a term of two (2) years, and one (1)- for a term of three (3) years. Annually thereafter the council shall fill the vacancy occurring. Said board shall be empowered to receive legacies and gifts on behalf of the library endowment funds and shall administer said endowment funds and grants that may be made to the libraries by the State of Connecticut. The department of finance shall have charge of financial record-keeping for the board of library trustees. Said board shall not take part in the administration and operations of libraries.

#### SECTION 6. TOWN CLERK.

The manager shall appoint and may remove a town clerk for an indefinite term. The town clerk shall have all the powers and duties conferred or imposed by law on town clerks, shall act as clerk of the town council, and shall have such other powers and duties as are prescribed in this Charter or by the council. The town clerk shall appoint and remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, all deputies, assistants or employees in ~~his~~ **their** office. The town clerk shall receive a compensation fixed by the council and fees collected by the town clerk shall be paid into the town treasury.

#### SECTION 8. DEPARTMENT OF FINANCE.

(d) Nothing herein contained shall be construed to prevent the town purchasing agent from serving to the extent requested as the purchasing agent for the board of education or the probate court upon request of the chairman of the board or judge of such court. Purchases shall be made under such rules and regulations as may be established by the council provided, if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time involves the expenditure of .000005 ~~(5/10,000's of one percent)~~ **of the grand list or more fifteen thousand (\$15,000.) dollars or more unless it can be procured through a competitive bid process conducted by Federal or State agency, or**

**consortium of local governments**, or more, the purchasing agent, unless it shall be determined by the council to be against the best interests of the town, shall invite sealed bids or proposals, given ten (10) days' public notice thereof by publication **electronically or as required by law**, **and** at least once in a newspaper having circulation in the town and shall let the purchase or contract to the lowest responsible bidder thereon or may reject all such bids or proposals **with a detailed explanation provided for such action**. All such sealed bids or proposals shall be opened publicly and read aloud. Wherever substantial savings can be realized the purchasing agent may enter into cooperative biddings.

#### SECTION 9. DEPARTMENT OF PUBLIC WORKS.

The department of public works shall have supervision and control of maintenance of all town owned structures, except such structures as **are** under the control of the board of education, and of the planning, surveying, constructing, ~~and~~ reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, sidewalks and curbs, sewers, sewage disposal, public and private drains and other public improvements, town buildings, and the preservation, care and removal of trees within highways or public places, all engineering work of the town and all solid waste collection and disposal, **recycling, and solid waste division**. The department shall have supervision and control of all parks and grounds used for park purposes belonging to the town, and of buildings, structures, apparatus and equipment used in connection therewith and shall have such other powers and duties as the council may prescribe. Any provision of this section to the contrary notwithstanding, the department of public works may maintain and care for school buildings and grounds, but only if and to the extent and for the period requested by the board of education and as approved by the council.

(a) *The director of public works; powers and duties.* Except as provided in Chapter IV, section 4, of this Charter, the manager shall appoint and may remove a director of public works who shall be a ~~professional engineer~~ **professionally qualified by education and experience**, ~~registered or qualified for registration in the State of Connecticut~~, who shall be responsible for the efficiency, discipline and good conduct of the department and who in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter shall appoint and may remove a ~~supervisor of recreation and~~ such deputies, assistants and employees as deemed necessary and shall prescribe their duties. The director of public works shall be the ward and have all the powers and duties thereof as provided by the General Statutes. The director of public works shall exercise these powers and discharge these duties under the supervision of the manager. The director of public works shall organize the work of the department in ~~such a manner as the director of public works shall deem~~ **an economical and efficient manner**.

~~(b) *Building inspector; powers and duties.* The director of public works shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, a building inspector, who shall be enforcement officer for the building code, and perform such other duties as may be prescribed by the council or required by the director of public works, provided the director of public works may perform the duties of the building inspector.~~

#### SECTION 10. DEPARTMENT OF PUBLIC SAFETY.

The department of public safety shall have supervision and control of the division of police, ~~and~~ the division of fire, **the division of emergency medical services and the division of emergency management**. Except as provided in Chapter IV, section 4, of this Charter, the manager shall appoint and may remove a director of public safety who shall be responsible for the efficiency,



discipline and good conduct of the department. **The Director of Public Safety shall be responsible to the Town Manager for all fiscal, administrative, personnel and operational matters for all divisions within the Department of Public Safety. The division heads shall consult with the Director on all such matters. In the event that the Director of Public Safety has not been appointed or is temporarily absent or disabled, the Town Manager shall serve as the Director of Public Safety.** Said director, or with the director's approval, the appropriate division head in said department, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, shall appoint and may remove such assistants and employees as are authorized within said department. The director of public safety shall be the traffic authority as defined in the General Statutes. Said director shall appoint and also may remove the animal control officer.

(a) *Division of police.* There shall be a division of police consisting of the chief of police and such other officers and employees of such ranks and grades as the council may determine. The division of police shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the division of police shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the General Statutes. The appointment and removal of the chief of police shall be subject to the provisions of this Charter and of the General Statutes as revised. The chief of police shall be the executive officer of the division of police. The chief of police shall assign all members of the division to their respective posts, shifts, details and duties. The chief of police shall be responsible for the care and custody of all property used by the division and for the efficiency, discipline and good conduct of its members. The chief of police shall make rules for the operation of the division and the conduct of the police work, subject to the approval of the director of public safety. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action which may include loss of pay, suspension from duty and removal, provided that no member of the division shall be suspended by the chief for more than ten (10) days without approval of the director of public safety and no suspension for more than thirty (30) days or removal shall be made except in accordance with the provisions relating to the merit system. ~~No officer or member of the division of police shall be a member of any political committee or delegate to any political convention. No officer shall solicit any person to vote at any political primary or election nor shall any officer challenge or in any manner attempt to influence any voter [thereat]. Violation of any provision of this section shall constitute cause for dismissal or suspension.~~

(b) *Division of fire.* It is the intent of this Charter that fire protection shall continue to be provided by the ~~volunteer companies~~ **fire districts** heretofore established in the ~~organization~~ **town by State law, and conduct of which no change is contemplated.** The town **reserves the right to establish a town fire department for any part of the town not within a fire district, in accordance with the General Statutes.** ~~by this Charter reserves the right to establish or encourage the establishment of additional volunteer companies.~~

(c) *Appointment of a fire chief.* In the event of the establishment of a fire department under the provisions of this Charter, the director of **Public Safety** shall appoint, with the approval of the town manager, a fire chief who shall be the executive head of the fire department and as such shall have charge and control under the direction of the director, of the administration and discipline of the fire department and of the buildings, property and apparatus and equipment

thereof. The appointment and removal of the fire chief shall be subject to the provisions of this Charter and of the General Statutes, as revised.

~~(d) Application of other sections of [to] the fire department. In the event of the elimination of the several fire districts or any of them and the assumption of the fire protection service thereof by the town, the provisions on political activity as written under division of police shall apply to personnel of the fire department.~~

~~(e)~~ (d) *Power of director for portions of town not included within any fire district.* ~~Until such time as the several fire districts or any of them shall be eliminated, The~~ director of the department may, if the interests of the town shall so require, ~~appoint,~~ with the approval of the town manager, a fire chief and the director shall have the power, with respect to all portions of the town not included in the limits of any fire district, ~~to~~ make rules and regulations relating to fire protection therein and ~~to~~ enter into agreement with any municipality, ~~fire district or districts volunteer fire company~~ for aid in extinguishing fire in ~~said the~~ town outside of any fire district. All sums payable under such agreement, rules or regulations, shall be paid by the town treasurer upon order of the director.

~~(f)~~ (e) *Assumption of fire protection service.* If the interest of the town shall so require, the council may enter into agreement with any fire district, prior to the ~~elimination~~ termination of said district, whereby the fire protection service of said district, or any other service or functions thereof, shall be assumed by the town, in which event the provisions of this Charter with respect to such service shall take effect in the same manner as though said fire district or districts were ~~eliminated~~ terminated.

**(f) Division of Emergency Medical Services.** There may be a division of emergency medical services consisting of the director of emergency medical services and such other officers and employees of such ranks and grades as the council may determine. The Division of Emergency Medical Services shall perform such functions and have such powers and duties as are conferred and imposed by the General Statutes. The appointment and removal of the director of emergency medical services shall be subject to the provisions of this Charter and of the General Statutes as revised. The director shall be the executive officer of the division. The director shall make rules for the operation of the division and the conduct of the medical work, subject to the approval of the director of public safety. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action which may include loss of pay, suspension from duty and removal, provided that no member of the division shall be suspended by the director for more than ten (10) days without approval of the director of public safety and no suspension for more than thirty (30) days or removal shall be made except in accordance with the provisions relating to the merit system.

**(g) Division of Emergency Management.** There shall be a division of emergency management consisting of the director of emergency management (which may be the director of public safety) and such other officers and employees of such ranks and grades as the council may determine. The Division of Emergency Management shall perform such functions and have such powers and duties as are conferred and imposed by the General Statutes. The appointment and removal of the director of emergency management shall be subject to the provisions of this Charter and of the General Statutes as revised. The director shall be the executive officer of the division

## SECTION 12. DEPARTMENT OF LIBRARIES.

The manager shall appoint and may remove a library director for an indefinite term, who shall ~~have a bachelor's degree~~ **be professionally qualified by education and experience** and who shall be skilled in library science. Said library director shall have charge of the public libraries of the town. **The director shall appoint and may remove, subject to such rules and regulations as are adopted pursuant to the merit system provisions of this Charter, all other officers and employees of the department.**

#### SECTION 13. OFFICIAL BONDS.

The town manager, town clerk, director of finance, treasurer, agent of the town deposit fund, tax collector, ~~director of public works, building inspector,~~ and such other officers and employees as may be required to do so by the council shall, before entering on their respective official duties, executed to the town in the form prescribed by the council and approved by the town attorney, file with the town clerk a surety company bond in the penal sum to be fixed by the council, conditioned upon the honesty and/or faithful performance of such official duties. Nothing herein shall be construed to prevent the council, if it deems it to be in the best interest of the town, from prescribing a name schedule bond, schedule position bond, or blanket bond or from prescribing which departments, offices, agencies, boards, or commissions shall be covered by specific types of the aforementioned bonds. Premiums for such bond shall be paid by the town.

### CHAPTER VI - FINANCE AND TAXATION

#### SECTION 4. DUTIES OF THE COUNCIL ON THE BUDGET.

The council shall hold one or more public hearings not later than sixty (60) days before the end of the fiscal year at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following receipts of the estimates from the manager, and the chairman of the board of education, the council shall cause sufficient copies of said estimates to be made available for general distribution in the office of the town clerk and at least (5) five days prior to the aforementioned public hearing the council shall cause to be published **electronically or as required by law, and** in a newspaper having circulation in the town a notice of such public hearing and a summary of said proposed budget estimates showing anticipated revenues by major sources and proposed expenditures by functions or departments in the same columnar form as prescribed for budget estimates in section 3 of this chapter and shall also show the amount to be raised by taxation. Within twenty (20) days after holding the final such public hearing or hearings, the council shall adopt by resolution a budget and file the same with the town clerk. At the time when the council shall adopt the budget it shall also fix the tax rate in mills which shall be levied on taxable property in the town for the ensuing year. Should the council fail to adopt a budget within the specified twenty (20) days, the budget as transmitted by the manager in accordance with the provisions of section 3 of this chapter shall be deemed to have been finally adopted by said council. The tax rate shall forthwith be fixed by the manager and thereafter expenditures ~~shall be deemed to have been finally adopted by said council. The tax rate shall forthwith be fixed by the manager and thereafter expenditures~~ shall be made in accordance with the budget so adopted. For the purposes of the general statutes, as revised, the council shall be deemed to be the budget-making authority and the legislative body and duties contained in said chapter for the creation of a "reserved fund for capital and non-recurring expenditures". Appropriations for construction or for other permanent improvements from whatever source derived shall not lapse until the purpose for which the appropriation was made

shall have been accomplished or abandoned, provided any project shall be deemed abandoned if three (3) fiscal years elapse without any expenditure from or encumbrance of the appropriation therefor. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.

#### SECTION 5. EMERGENCY APPROPRIATIONS.

Emergency appropriations not exceeding one (1) percent of the current budget in any one fiscal year may be made upon the recommendation of the manager and by a vote of not less than six (6) members of the council for the purpose of meeting a public emergency threatening the lives, health or property of the citizens, provided a public hearing at which any elector or taxpayer of the town shall have an opportunity to be heard shall be held prior to making such appropriation, notice of which hearing shall be given **electronically or as required by law, and** in a newspaper having circulation in the town not more than ten (10) nor less than five (5) days prior to such hearing. Such hearing and notice of hearing may be waived, if the council by a vote of eight (8) of its members shall decide that a delay in making the emergency appropriation would jeopardize the lives, health or property of citizens. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriations, additional means of financing shall be provided in such manner consistent with the provisions of the General Statutes and of this Charter, as may be determined by the council.

#### SECTION 8. EXPENDITURES AND ACCOUNTING.

(f) *Transfer of funds.* When any department, commission, board or officer shall desire to secure a transfer of funds set apart for one specific purpose to another, before incurring any expenditure therefor, such department, commission, board or officer shall make application to the council whose duty it shall be to examine into the matter and upon approval of the council such transfer may be made but not otherwise. Upon the request of the manager, but only within the last ~~three~~ **six (6)** months of the fiscal year, the council may by resolution transfer any unencumbered appropriation, balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges.

(h) *Illegal payments.* Every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and every person receiving such payment or any part thereof shall be jointly and severally liable to the town for the amount so paid or received. If any officer or employee of the town shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for ~~his~~ **their** removal.

#### SECTION 11. CONTRIBUTIONS.

The town shall make no contribution to any organization or private corporation unless so authorized by the General Statutes, as revised. No such contribution of more than ~~five hundred dollars (\$500.00)~~ **five thousand (\$5,000.00) dollars** shall be made to any such organization or corporation unless the town is represented on its board by one or more members nominated thereto by the council.

### CHAPTER VIII - TRANSITION AND MISCELLANEOUS PROVISIONS

#### SECTION 1. TRANSFER OF POWERS.

The powers which are conferred and the duties which are imposed upon any commission, board, department, or office under the General Statutes or special acts concerning the town or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board or department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department or office upon which are imposed corresponding or like functions, powers, and duties under the provisions of this Charter. All commissions, boards, departments or offices abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provision shall have been made for the discontinuance of such commissions, boards, departments, or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the town clerk shall have notified the members of such commissions, boards, departments or offices as are abolished by this Charter that their successors have been appointed. All appointive powers now or hereafter conferred by the General Statutes upon boards of selectmen shall be exercised by the town council unless otherwise specifically provided in this Charter. The town council in the Town of Enfield shall continue in office until their successors have been duly elected and qualified at the next municipal election ~~in 1969~~.

#### SECTION 4. AMENDMENT OF CHARTER.

**Ten (10) years following the adoption of these amendments, and every ten (10) years thereafter, unless the council recommends the charter be reviewed sooner, the council shall appoint a commission whose duty it shall be to review the existing charter and make such recommendations as it may see fit for revision.** This Charter may be amended in the manner prescribed by law.

#### SECTION 6. EFFECTIVE DATE.

The effective date of this Charter is **November 10, 2014** ~~December 5, 1996~~.